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Remarks/Arguments:

Applicant wishes to thank the Examiner for his detailed comments. As Examiner has chosen to group his comments by section, Applicant shall address each of these sections and points in turn.

5

Examiner is reminded that in the RCE filed on October 24, 2006, it was requested that the arguments submitted previously on September 25, in the Response to Final Office Action, be considered. It is apparent that this has not been done, as the Response filed on Sept. 25, 2006, as well as the previous
10 Response filed on June 29, 2006 pointed out that rejections as to various features included in the claims had no support in the prior art, as will be discussed again below. The present Office Action does not address these arguments, or even acknowledge that they were made. Instead, the text of the previous Office Action has been cut and pasted into the present Office Action with no consideration of the
15 arguments to be addressed. This is especially evident in the references to "Claims 1-23 are rejected" on both the Office Action Summary and the text of the Office Action, and "Regarding Claims 8 and 17", when Claims 8 and 17 are currently canceled, as their subject matter was previously amended into independent Claims 1 and 10 respectively.

20 Applicant shall therefore largely repeat the arguments made previously in hopes that their merits shall be considered this time. Applicant respectfully requests that Examiner consider the arguments and reply to them, if for no other reason than that the grounds of rejection should be clear in case an appeal must be filed.

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Also, for the record, Applicant called and left a message for Examiner on February 8 requesting a telephone interview to discuss this Office Action, but received no reply.

5 **Claim Rejections - 35 USC § 103:**

3-4. Examiner has stated:

10 “Claims 1-23” (should be 1-7, 9-16, 18-23, -L.G.) “are rejected under 35 U.S.C. 103(a) as being unpatentable over Freitag et al. (USPub 2005,0122635) in view of Li et al. (USPN 6,909,583).

15 “Regarding claims 1, 10, and 19, Freitag et al. shows (Fig. 10), a disk drive comprising at least one hard disk, at least one magnetic head adapted to fly over the hard disk for writing data on the hard disk, and having an air bearing surface, the magnetic head including a read sensor including a free layer (202); a spacer layer (206); a plurality of self-pinned layers (220,222), but does not show interleaved layers of ferromagnetic metal and non-magnetic material, wherein the non-magnetic metal of the plurality of layers is chosen from a group consisting of Ru (224), Cr, Ir, Cu (208), Rh and Re, but does not show interleaved layers of ferromagnetic metal and non-magnetic metal.

20 “Li et al shows interleaved layers (AP 1,15) of ferromagnetic metal and non-magnetic metal.

25 “It would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the self-pinned layers of Freitag et al. with the interleaved layers as taught by Li et al. The rationale is as follows: One of ordinary skill in the art at the time the invention was made would have been motivated to replace the self-pinned layers of Freitag et al with the interleaved layers as taught by Li et al to provide good pinning strength thus inhibiting amplitude flip.”

Thus Examiner’s argument apparently is that *Freitag* shows a self-pinned
30 structure that does not have interleaved ferromagnetic metal and non-magnetic metal layers, and thus relies on a different structure and mechanism for self-pinning then that of the present invention. Then, Examiner adds a disclosure of interleaved ferromagnetic metal and non-magnetic metal layers from *Li*, however using different materials than those used by the present invention, and whose
35 structure is not directed at self-pinning at all, and which would in fact not function for this purpose. The Examiner then claims to come up with combination from these two references which makes the present invention obvious.

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In order to take components from these two references and combine them to make a structure resembling that of the present invention, one would have make modifications which are not taught in any of the cited references. It would require one to take the interleaved structure of *Li*, which uses completely different materials (FeTaO), change the composition of the non-magnetic metal layers to one of the group consisting of Ru, Cr, Ir, Cu, Rh, and Re (not taught in *Li*), and insert it into the structure of *Freitag*. Doing this does not just modify the basic self-pinned structure from *Freitag*, it replaces it with another structure altogether, and the structure it replaces it with is not contemplated or even mentioned in *Li*. This is impermissible hindsight, and an unfair basis for an obviousness rejection.

In addition, there can be no motivation for undergoing such elaborate modifications merely to combine references. Applicant again emphasizes that *Li* does not teach self-pinning, as is evident by the presence of AFM material. It is precisely this AFM material which self-pinned structures strive to eliminate. The present inventor informs me that FeTaO material is completely unsuitable for use in self-pinning structures, and on the contrary, the presence of FeTaO would be known by those skilled in the art to degrade pinning of the layers. The goal in *Li* is to increase the DR/R ratio, thus improving the sensitivity of the sensor, but is not concerned with producing self-pinned layers. In *Li*, the specularly reflecting nano-oxide layer of FeTaO (19) is used to produce specular reflection of the electrons, which is related to the DR/R performance of the sensor, and has nothing to do with pinning the layer. Thus the emphasis by *Li* is on "maintaining good pinning properties", meaning that *Li* has found a way to prevent the FeTaO material from impairing the pinning effect of the AFM layer on the pinned layer. It does not enhance self-pinning, and has no intentions to do so. There can be no motivation to replace a self-pinned structure with a non-pinned structure, as the result would not function as a read head.

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As further demonstration of the difference in structures, Claim 1 as previously amended now recites:

5 "A magnetic head comprising:
 a read sensor including:
 a free layer;
 a spacer layer;
 a plurality of self-pinned layers, said self-pinned layers including interleaved layers of
10 ferromagnetic material and non-magnetic metal wherein said non-magnetic metal of said
 plurality of self-pinned layers is chosen from a group consisting of Ru, Cr, Ir, Cu, Rh, and Re."

The *Li* reference recites that it includes:

15 "A novel, specularly reflecting nano-oxide layer within its pinned layer" (col. 3, lines 63-64).

Also, *Li* includes:

20 "An MnPt antiferromagnetic pinning layer (4)" (col. 4, lines 42-43),
and that

25 "The API layer...comprising a layer of CoFe (17) ...a specularly reflecting FeTaO layer (19).. on which is formed a layer of CoFe (21)" (col. 4, lines 52-60).

Thus it is apparent that the *Li* discloses a different structure for a different purpose, and has no relevance to the present structure in which an interleaved structure having non-magnetic metal chosen from a group consisting of Ru, Cr, Ir, Cu, Rh, and Re in order to produce self-pinning.

30 Therefore, it cannot be fairly said that the present invention is made obvious by the cited references, either alone or in combination.

Thus, Applicant further respectfully asserts that the present invention is not obvious in view of the cited references. Applicant respectfully requests that the rejection be withdrawn and Claim 1 be allowed.

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Claims 1, 10 and 19, as amended all include this feature of an interleaved structure having non-magnetic metal chosen from a group consisting of Ru, Cr, Ir, Cu, Rh, and Re in order to produce self-pinning. Applicant therefore respectfully asserts these claims are all allowable over the cited prior art. Applicant respectfully requests that the rejection be withdrawn and Claim 1 be allowed.

5. Examiner has stated:

“Regarding Claims 2 and 11, Freitag et al shows (Fig. 10), the magnetic head, wherein the plurality of self-pinned layers includes AP1 (220) and AP2 (222), where AP1 (220) includes an odd number of layers of ferromagnetic material (CoPtCr).”

Claims 2 and 11 are dependent on Claims 1 and 19 respectively, and all include by their dependence the assertedly non-obvious feature of an interleaved structure having non-magnetic metal chosen from a group consisting of Ru, Cr, Ir, Cu, Rh, and Re in order to produce self-pinning of the claims as amended. Therefore, Applicant respectfully asserts that these claims are also not made obvious by the cited references, either alone or in combination. Applicant therefore respectfully requests that the rejection be withdrawn and Claims 2 and 11 be allowed.

6-8. Examiner has stated:

“Regarding Claims 3, 12, and 20, Freitag et al shows (Fig. 10), the magnetic head, wherein the AP1 and the AP2 together have a net magnetic moment $dM=0$ (equal and opposite).”

“Regarding Claims 4, 13, and 21, Freitag et al shows (Fig. 10), the magnetic head, wherein the $Dm=0$ corresponds to a dT less than 5×10^{-10} meters, wherein magnetic thickness $T=M \times t$, and M equals magnetization, t equals thickness of material, and dT is the differential in the layer thicknesses (inherent).”

“Regarding Claims 5, 14, and 22, Freitag et al shows (Fig. 11), the magnetic head, wherein the plurality of self-pinned layers has $H_k > 200$ Oe.”

For the record, Examiner has apparently overlooked or not fully considered the arguments from Applicant's Response filed on September 25, 2006 and

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previously on June 29, 2006 that "In addition, Applicant can find no support for the statement that in *Freitag* "the AP1 and the AP2 together have a net magnetic moment $dM=0$ (equal and opposite)," Examiner has made no comment on this or shown where this feature can be found in the cited reference, other than referring to

5 Fig. 10. In a similar manner, Examiner has apparently not considered the substance of Claims 4, 13, and 21, wherein the $Dm=0$ corresponds to a dT less than 5×10^{-10} meters, wherein magnetic thickness $T=M \times t$, and M equals magnetization, t equals thickness of material, and dT is the differential in the layer thicknesses, or Claims 5, 14, and 22, wherein the plurality of self-pinned layers has $H_k > 200$ Oe.
10 There is a chart below paragraph [0038] which shows a coercivity of 60 Oe, but this is far short of the value of 200 Oe required by the present claims. Examiner merely makes reference to Fig. 10 of *Freitag*, which does not address any of these limitations. These properties are not such that they may be illustrated in a drawing figure.

15 However, Applicant respectfully asserts that these points in regards to the dependent claims are moot in view of the patentable features of the independent claims 1, 10 and 19, as pointed out above, and may be disregarded if the Claims are allowed. Otherwise Applicant would appreciate specific citations where these limitations may be found in the cited prior art.

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9-10. Examiner has stated:

"Regarding Claims 6, 15, and 23, Freitag et al shows (Fig. 10), the magnetic head, wherein the plurality of self-pinned layers is pinned by magnetostrictive anisotropy."

25 "Regarding Claims 7 and 16, Freitag et al shows (Fig. 10), the magnetic head, wherein the ferromagnetic metal of the plurality of self-pinned layers is chosen from a group consisting of CoFe, CoFe/NiFe, and Fe."

Claims 6-7 and 9, Claims 15-16, and Claim 23 are dependent on Claims 1, 10 and 19 respectively and all include by their dependence the assertedly non-

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obvious feature of an interleaved structure having non-magnetic metal chosen from a group consisting of Ru, Cr, Ir, Cu, Rh, and Re in order to produce self-pinning of the claims as amended. Therefore, Applicant respectfully asserts that these claims are also not made obvious by the cited references, either alone or in combination.

5 Applicant therefore respectfully requests that the rejection be withdrawn and Claims 6-7 and 9, Claims 15-16, and Claim 23 be allowed.

11. Examiner has stated:

10 "Regarding Claims 8 and 17, Freitag et al shows (Fig. 10), the magnetic head, wherein the non-magnetic metal of the plurality of self-pinned layers is chosen from a group consisting of Ru, Cr, Ir, Cu, Rh, and Re."

Claims 8 and 17 are currently canceled. However, in reference to the
15 rejection of original Claims 8 and 17, whose limitations are now found in Claims 1, 10 and 19, Examiner claims that *Freitag* shows a magnetic head, wherein the non-magnetic metal of the plurality of self-pinned layers is chosen from a group consisting of Ru, Cr, Ir, Cu, Rh, and Re. However, *Freitag* only shows a single layer of Ru, and it is not used in an interleaving structure such as in the present
20 invention.

12. Examiner has stated:

25 "Regarding Claims 9 and 18, Freitag et al shows [0042], the magnetic head, wherein the read sensor is of Current Perpendicular to the Plane (CPP) configuration."

Claims 9, and 18, are dependent on Claims 1, 10 respectively and include by their dependence the assertedly non-obvious feature of an interleaved structure having non-magnetic metal chosen from a group consisting of Ru, Cr, Ir, Cu, Rh,
30 and Re in order to produce self-pinning of the claims as amended. Therefore, Applicant respectfully asserts that these claims are also not made obvious by the

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cited references, either alone or in combination. Applicant therefore respectfully requests that the rejection be withdrawn and Claims 9, and 18 be allowed.

Claims 2-7 and 9, Claims 11-16 and 18, and Claims 20-23 are dependent on
5 Claims 1, 10 and 19 respectively and all include by their dependence the assertedly non-obvious feature of an interleaved structure having non-magnetic metal chosen from a group consisting of Ru, Cr, Ir, Cu, Rh, and Re in order to produce self-pinning of the claims as amended. Therefore, Applicant respectfully asserts that
10 these claims are also not made obvious by the cited references, either alone or in combination. Applicant therefore respectfully requests that the rejection be withdrawn and Claims 2-7 and 9, Claims 11-16 and 18, and Claims 20-23 be allowed.

15 In summary, Applicant respectfully asserts that Examiner's previous statement that

"Thus in combining *Li* with *Frietag*, *Frietag's* pinning properties would be maintained while adding the advantage of for "interleaved layers (AP 1,15) of ferromagnetic metal and non-magnetic metal" to improve performance of *Freitag's* sensor..."

does not make sense. *Li* does not teach an advantage of interleaved layers of
20 ferromagnetic and non-magnetic material for self-pinning. If the interleaved layers including FeTaO as taught in *Li* were to be added to the structure of *Freitag*, the pinning strength would be degraded, if not totally disabling, and certainly not improved. This is well-known to those skilled in the art. Pinning in *Li* is only maintained at all because of the inclusion of an AFM layer. The removal of an
25 AFM layer in the read head is exactly the motivation for creating self-pinned layers in the first place, and is a disincentive for combining *Li* with *Freitag*. Thus, *Li* does not disclose an advantage for strength of self-pinned layers, but instead it teaches away from this.

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Before the present invention can be said to be obvious in view of a combination references, there should at least be some teaching of an interleaved layer structure which does not degrade the self-pinning performance of such a structure. Otherwise it cannot be fairly said to provide an obvious combination.

5 Therefore, it cannot be fairly said that the present invention is made obvious by the cited references, either alone or in combination.

Thus, Applicant further respectfully asserts that the present invention is not obvious in view of the cited references. Applicant respectfully requests that the rejections be withdrawn and all claims present in the case be allowed.

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Conclusion:


Applicant has endeavored to put this case into complete condition for
5 allowance. It is thought that the §103 rejections were unfounded on the references
cited. Applicant therefore respectfully asks that the objection and rejections be
withdrawn and that allowance of all claims presently in the case now be granted.

If the Examiner would like to discuss any of the points involved in the
10 Response, he is urged to contact Applicant's Attorney at the numbers included
below.

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Respectfully Submitted,


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